



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/421,506	10/19/1999	SALVATORE ALBANI	246/285	4242

7590

07/12/2002

WESLEY B. AMES  
BROBECK PHLEGER & HARRISON LLP  
12390 EL CAMINO REAL  
SAN DIEGO, CA 92130

EXAMINER

EWOLDT, GERALD R

ART UNIT

PAPER NUMBER

1644

DATE MAILED: 07/12/2002

21

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

09/421,506

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	21

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

**Notice of Non-Compliant Amendment (37 CFR 1.121)**

The amendment filed on 4/15/02 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☐ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☒ 5. Other: The amendment of Claim 162 is improper, sections (a), (b), (c), and (d) have been amended to (a), (a), (a), and (a). Further, the marked-up copy of the claim shows the sections as (b), (c), and (d).

Since the response appears to be **bona fide**, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner **G.R. Ewoldt**, Art Unit **1644**, whose telephone number is **703-308-9805**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

*G.R. Ewoldt* 6/25/02